

CHAPTER 10. VIOLATIONS AND PENALTIES

SUBCHAPTER 1. VIOLATIONS

- 4A:10-1.1. General provisions
- 4A:10-1.2. Political activity

4A:10-1.1 General provisions

(a) No person or appointing authority shall violate the provisions of Title 11A, New Jersey Statutes, or Title 4A, N.J.A.C.

(b) No person or appointing authority shall fail to comply with an order of the Commissioner or Board.

(c) No person or appointing authority shall obstruct a person's lawful opportunity to participate in the selection and appointment process or a person's lawful pursuit of any remedy or appeal under Title 11A, New Jersey Statutes, and Title 4A, N.J.A.C.

(d) No person shall make any false statement or perform any fraudulent act in connection with any examination, certification, appointment or other personnel transaction under the provisions of Title 11A, New Jersey Statutes, and Title 4A, N.J.A.C.

(e) No person shall pay, offer, solicit or accept any compensation, service or other consideration to affect any appointment or other personnel transaction under the provisions of Title 11A, New Jersey Statutes, and Title 4A, N.J.A.C.

1. No person shall pay or offer any compensation, service or other consideration to induce the retirement or resignation of an employee in order to gain a promotion or the opportunity for a promotion.

2. No person shall solicit or accept any compensation, service or other consideration as an inducement to retire or resign in order to allow an employee to gain a promotion or the opportunity for a promotion.

(f) Appointing authorities shall timely supply all information, documents and other materials requested by the Department of Personnel for the purpose of efficiently and accurately administering the merit system.

4A:10-1.2 Political activity

(a) No employee in the career or senior executive service shall directly or indirectly use or seek to use his or her position to control or affect the political action of another person or engage in political activity during working hours. See N.J.S.A. 11A:2-23.

(b) No employee in the career, senior executive or unclassified services whose principal employment is in connection with a program financed in whole or in part by Federal funds or loans, shall engage in any of the following prohibited activities under the Hatch Act (> 5 U.S.C. 1501 et seq.):

1. Be a candidate for public office in a partisan election. This provision does not apply to the Governor, the mayor of a city, the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs;

2. Use official authority or influence that interferes with or affects the results of an election or a nomination for office; or

3. Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

(c) The office of the Special Counsel of the United States Merit System Protection Board has responsibility for the investigation of Hatch Act matters.